

Exhibit A - Copy of Amended  
Short Form Complaint

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS  
LIABILITY LITIGATION

No. 2:15-MD-02641-DGC

This Document Applies to:  
Christine Minor, 2:19-cv-00414-DCG

**SECOND AMENDED MASTER  
SHORT FORM COMPLAINT FOR  
DAMAGES FOR INDIVIDUAL  
CLAIMS AND DEMAND FOR JURY  
TRIAL**

Plaintiff's First Amended Short Form Complaint

Plaintiff(s) named below, for their Complaint against Defendants named below,  
incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).  
Plaintiff(s) further show the Court as follows:

1. Plaintiff/Deceased Party:  
Christine Minor.
2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of  
consortium claim:  
N/A.
3. Other Plaintiff and capacity (i.e., administrator, executor, guardian,  
conservator):  
N/A.
4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence  
at the time of implant:  
Florida.

1           5.     Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence  
2                 at the time of injury:

3                 Florida.

4           6.     Plaintiff's current state(s) [if more than one Plaintiff] of residence:

5                 Florida.

6           7.     District Court and Division in which venue would be proper absent direct  
7                 filing:

8                 Middle District of Florida - Fort Myers Division.

9           8.     Defendants (check Defendants against whom Complaint is made):



11                     C. R. Bard Inc.



13                     Bard Peripheral Vascular, Inc.

14           9.     Basis of Jurisdiction:



16                     Diversity of Citizenship



18                     Other: \_\_\_\_\_

19                 a.     Other allegations of jurisdiction and venue not expressed in Master  
20                         Complaint:

21           10.    Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making  
22                 a claim (Check applicable Inferior Vena Cava Filter(s)):



24                     ~~Recovery<sup>®</sup> Vena Cava Filter~~



26                     G2<sup>®</sup> Vena Cava Filter



28                     G2<sup>®</sup> Express Vena Cava Filter



                  G2<sup>®</sup> X Vena Cava Filter



                  Eclipse<sup>®</sup> Vena Cava Filter



                  Meridian<sup>®</sup> Vena Cava Filter

☐ Denali® Vena Cava Filter

☐ Other: \_\_\_\_\_

11. Date of Implantation as to each product:

July 17, 2006.

12. Counts in the Master Complaint brought by Plaintiff(s):

- ☒ Count I: Strict Products Liability – Manufacturing Defect
- ☒ Count II: Strict Products Liability – Information Defect (Failure to Warn)
- ☒ Count III: Strict Products Liability – Design Defect
- ☒ Count IV: Negligence - Design
- ☒ Count V: Negligence - Manufacture
- ☒ Count VI: Negligence – Failure to Recall/Retrofit
- ☒ Count VII: Negligence – Failure to Warn
- ☒ Count VIII: Negligent Misrepresentation
- ☒ Count IX: Negligence *Per Se*
- ☒ Count X: Breach of Express Warranty
- ☒ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable Florida (insert state) Law Prohibiting Consumer Fraud and Unfair and Deceptive Trade Practices
- ☐ Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☒ Punitive Damages

☐ Other(s): \_\_\_\_\_ (please state the facts supporting this Count in the space immediately below)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

13. Jury Trial demanded for all issues so triable?

☒ Yes

☐ No

RESPECTFULLY SUBMITTED this 30 day of January, 2019.

**[SIGNATURE BLOCK]**

By: /s/ Robert J. Fenstersheib

[Attorney name/address]

520 W Hallandale Beach Blvd.

Hallandale, FL 33009

rjf@fenstersheib.com

I hereby certify that on this 30 day of January, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ Robert J. Fenstersheib